

TUESDAY, APRIL 21, 2015

TWENTY-SEVENTH LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Rabbi Phillip Rice, Congregation Micah, Nashville, TN.

Representative Clemmons led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

PRESENT IN CHAMBER

Reps. Love, Moody, Haynes, Casada and Ragan were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 409 Rep. Hardaway as prime sponsor.

House Joint Resolution No. 437 Rep. Williams as prime sponsor.

House Bill No. 143 Reps. Armstrong and Hazlewood as prime sponsors.

House Bill No. 200 Rep. Hardaway as prime sponsor.

1446

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

House Bill No. 403 Reps. Hardaway and Powers as prime sponsors.

House Bill No. 582 Reps. Hardaway, Ragan and Goins as prime sponsors.

House Bill No. 693 Reps. Armstrong, Kumar and Weaver as prime sponsors.

House Bill No. 760 Reps. Shepard, Ramsey and D. White as prime sponsors.

House Bill No. 765 Reps. Hardaway and Armstrong as prime sponsors.

House Bill No. 935 Reps. Terry, Womick and Hardaway as prime sponsors.

House Bill No. 944 Rep. Hardaway as prime sponsor.

House Bill No. 977 Reps. Lundberg, M. White, H. Brooks, Womick, Johnson, Reedy, Gravitt, Weaver, McManus, Coley, Powers and Dunlap as prime sponsors.

House Bill No. 1157 Reps. Ragan, Lundberg, Hazlewood, Todd, Travis, Sargent, Powers, H. Brooks, Johnson, Weaver, Howell and Lynn as prime sponsors.

House Bill No. 1173 Reps. Hardaway and Powers as prime sponsors.

House Bill No. 1339 Reps. Carter and Wilburn as prime sponsors.

House Bill No. 1342 Reps. Hazlewood, Carr, Terry, Howell, Kumar, Holsclaw, Littleton, Kane, D. White, Wilburn, Eldridge, Daniel, Marsh and DeBerry as prime sponsors.

House Bill No. 1351 Rep. Cooper as prime sponsor.

House Bill No. 1368 Reps. Powers, M. White, Holsclaw, Coley, Reedy, H. Brooks, Womick, Gravitt, Sparks and McManus as prime sponsors.

REQUEST TO BE ADDED AS SPONSOR

The following member requested to add their name as sponsor indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage of said bill:

House Bill No. 1278 Rep. Hardaway

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to transmit to the House, HB 810 The Senate refused to recede from its action in adopting amendment 1.

RUSSELL A. HUMPHREY, Chief Clerk

1447

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 351; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 351 -- Memorials, Interns - Alexander Ulysses Boulton. by *Harris.

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 382; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 382 -- Memorials, Death - Dianne Norris Donner. by *Yarbro.

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 287, 288, 290, 291, 292, 293 and 295; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 287 -- Memorials, Recognition - Australian Shepherd Club of America 2015 National Specialty Show. by *Tracy.

Senate Joint Resolution No. 288 -- Memorials, Professional Achievement - Carolyn D. Forster, 2015 Community Leadership Award. by *Overbey.

Senate Joint Resolution No. 290 -- Memorials, Death - Ray Smelcer. by *Niceley.

Senate Joint Resolution No. 291 -- Memorials, Recognition - Holly Widen, heroism. by *Green.

Senate Joint Resolution No. 292 -- Memorials, Academic Achievement - Matthew Finley, Salutatorian, Gordonsville High School. by *Beavers.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 293 -- Memorials, Public Service - Mark E. Blakley. by *Yager.

Senate Joint Resolution No. 295 -- Memorials, Congratulations - Addison Dower and Matthew Russell, wedding. by *Dickerson, *Tracy, *Yager.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Dunlap was recognized in the Well to honor the memory of Robert Lynn Crosslin.

RESOLUTION READ

The Clerk read House Joint Resolution No. 251, adopted April 6, 2015.

House Joint Resolution No. 251 -- Memorials, Death - Robert Lynn Crosslin. by *Dunlap, *Harwell.

RECOGNITION IN THE WELL

Representative Jones was recognized in the Well to honor the Lighthouse Christian School's girls' and boys' basketball team.

RESOLUTION READ

The Clerk read House Resolution No. 68, adopted April 16, 2015.

House Resolution No. 68 -- Memorials, Sports - Lighthouse Christian School's girls' basketball 2015 State Champions. by *Jones, *Shaw.

RESOLUTION READ

The Clerk read House Resolution No. 69, adopted April 16, 2015.

House Resolution No. 69 -- Memorials, Sports - Lighthouse Christian boys' basketball team, 2015 National and State Champions. by *Jones, *Shaw.

RECOGNITION IN THE WELL

Representative Calfee was recognized in the Well to honor Laura Travis.

RESOLUTION READ

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

The Clerk read House Joint Resolution No. 377, adopted April 16, 2015.

House Joint Resolution No. 377 -- Memorials, Recognition - Laura Travis. by *Calfee.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 22, 2015:

House Resolution No. 101 -- Memorials, Academic Achievement - Curtica L. Jackson, Valedictorian, Hamilton High School. by *Akbari.

House Resolution No. 102 -- Memorials, Academic Achievement - Jessyca Ford, Valedictorian, Sheffield High School. by *Akbari.

House Resolution No. 103 -- Memorials, Academic Achievement - Tatyanta Mickens, Salutatorian, Sheffield High School. by *Akbari.

House Resolution No. 104 -- Memorials, Academic Achievement - Marqueta L. Triplett, Salutatorian, Hamilton High School. by *Akbari.

House Resolution No. 105 -- Memorials, Death - Robert E. Kirkland. by *Holt, *Sanderson, *Halford, *Eldridge, *Wirgau, *McDaniel.

House Resolution No. 106 -- Memorials, Interns - India Lackey. by *Cooper.

House Resolution No. 107 -- Memorials, Sports - Vanderbilt University women's tennis team, 2015 Southeastern Conference champions. by *Clemmons.

House Resolution No. 108 -- Memorials, Academic Achievement - Brianna Parrish, Salutatorian, Trezevant High School. by *Miller.

House Resolution No. 109 -- Memorials, Academic Achievement - Tito Hunter, Valedictorian, Trezevant High School. by *Miller.

House Resolution No. 110 -- Memorials, Interns - Eric Dunn. by *Harwell.

House Resolution No. 111 -- Memorials, Interns - D'John W. Moore. by *Miller, *Camper.

House Resolution No. 112 -- Memorials, Academic Achievement - Jason Zeng, Salutatorian, Bartlett High School. by *Miller.

House Resolution No. 113 -- Memorials, Academic Achievement - James "Grayson" Goble, Salutatorian, West High School. by *Smith.

1450

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Resolution No. 114 -- Memorials, Academic Achievement - Robert "Walker" Ivy, Co-valedictorian, West High School. by *Smith.

House Resolution No. 115 -- Memorials, Academic Achievement - Lane Brandt, Co-Valedictorian, West High School. by *Smith.

House Joint Resolution No. 442 -- Memorials, Retirement - David Clinton. by *Matlock, *Calfee.

House Joint Resolution No. 443 -- Memorials, Recognition - Taylor Flake, recipient of Vanderhaar Student Peace Award. by *Camper.

House Joint Resolution No. 444 -- Memorials, Recognition - 8th Biannual John Billy Driver Family Reunion. by *Camper.

House Joint Resolution No. 445 -- Memorials, Death - Michael Lynn Starrett. by *Powers.

House Joint Resolution No. 446 -- Memorials, Academic Achievement - Harris Taylor, Valedictorian, McGavock High School. by *Stewart, *Jernigan.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 22, 2015:

Senate Joint Resolution No. 287 -- Memorials, Recognition - Australian Shepherd Club of America 2015 National Specialty Show. by *Tracy.

Senate Joint Resolution No. 288 -- Memorials, Professional Achievement - Carolyn D. Forster, 2015 Community Leadership Award. by *Overbey.

Senate Joint Resolution No. 290 -- Memorials, Death - Ray Smelcer. by *Niceley.

Senate Joint Resolution No. 291 -- Memorials, Recognition - Holly Widen, heroism. by *Green.

Senate Joint Resolution No. 292 -- Memorials, Academic Achievement - Matthew Finley, Salutatorian, Gordonsville High School. by *Beavers.

Senate Joint Resolution No. 293 -- Memorials, Public Service - Mark E. Blakley. by *Yager.

Senate Joint Resolution No. 295 -- Memorials, Congratulations - Addison Dower and Matthew Russell, wedding. by *Dickerson, *Tracy, *Yager.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 351 -- Memorials, Interns - Alexander Ulysses Boulton. by *Harris.

Senate Joint Resolution No. 382 -- Memorials, Death - Dianne Norris Donner. by *Yarbro.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 21, 2015**, reported the following:

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways & Means Committee recommended for passage: House Bills Nos. 1026, 127, 819, 945, 1361, 45, 720, 570, 1109, 55, 1074, 148, 120, 134, 176, 1304, 180, 170, 788, 1337, 708, 126, 307, 275, 1232, 268, 1216, 1146, 634, 1042, 676, 67, 999, 846, 980, 17, 249, 568, 855, 574 and 395, also House Bills Nos. 1197, 946, 780, 754, 767, 866, 115, 1147, 24, 214, 48, 33, 542, 868, 702, 936, 1321, 138, 243, 675, 1043 and 1372 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

LOCAL GOVERNMENT COMMITTEE

The Local Government Committee recommended for passage: House Bills Nos. 1399 and 1402. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 22, 2015**: House Bills Nos. 24, 675, 676, 33, 48, 126, 214, 268, 307, 542, 1146, 1216, 1232, 138, 243, 702, 868, 936, 1321, 67, 634, 846, 1042, 17, 980, 1043, 568, 855, 574, 1372, 395, 45, 570, 720, 780, 946, 1026, 1197, 120, 134, 148, 176, 1304, 180, 1109, 115, 170, 708, 754, 767, 866, 1147, 1337, House Joint Resolution No. 231, House Bill No. 979, House Joint Resolution No. 211, House Bills Nos. 1153, 1389, 1394, and Senate Joint Resolution No. 107.

It further reports that it set the following bills and resolutions on the **Consent Calendar No. 2** for **April 22, 2015**: House Bills Nos. 275, 999, 249, 127, 819, 945, 1361, 55, 1074, 788, 1402, 1399, House Joint Resolution No. 180, House Bills Nos. 1384, 1381, 1396, 1395, 1400, 1401, 1398, Senate Joint Resolutions Nos. 241, 130, 140, 142, and 30.

CONSENT CALENDAR

House Resolution No. 91 -- Memorials, Interns - Nathaniel Gooch. by *Sargent.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Resolution No. 92 -- Memorials, Interns - Josh Cahill. by *Williams.

House Resolution No. 93 -- Memorials, Academic Achievement - Heaven Lee Anhalt, Valedictorian, Hillwood High School. by *Clemmons.

House Resolution No. 94 -- Memorials, Interns - Danielle King. by *Sargent.

House Resolution No. 95 -- Memorials, Academic Achievement - Casey White, Student Body President, Hillwood High School. by *Clemmons.

House Resolution No. 96 -- Memorials, Academic Achievement - Kenan Sakic, Salutatorian, Hillwood High School. by *Clemmons.

House Resolution No. 98 -- Memorials, Interns - Jillian Cantrell. by *Hardaway, *Love, *Akbari, *Mitchell, *Towns, *Turner, *Favors, *DeBerry, *Shaw, *Miller, *Armstrong, *Camper, *Gilmore.

House Resolution No. 99 -- Memorials, Interns - Ja'Vonta Seals. by *Hardaway, *Mitchell, *Towns, *Turner, *Favors, *DeBerry, *Shaw, *Miller, *Camper, *Gilmore, *Armstrong.

House Resolution No. 100 -- Memorials, Recognition - Commemorates the Armenian Genocide Centennial. by *Moody.

House Joint Resolution No. 407 -- Memorials, Interns - Caleb Thomas. by *Eldridge.

House Joint Resolution No. 408 -- Memorials, Death - Kyle Copenhaver Testerman. by *Daniel.

House Joint Resolution No. 409 -- Memorials, Retirement - Johnnie B. Watson, president of LeMoyne-Owen College. by *Turner.

House Joint Resolution No. 410 -- Memorials, Interns - Hamid Farzam. by *Turner, *Akbari.

House Joint Resolution No. 411 -- Memorials, Academic Achievement - Ronnie Biddinger, Top 10 student, Volunteer High School. by *Harrison.

House Joint Resolution No. 412 -- Memorials, Recognition - Rogersville City School, Beth Christian's third-grade class. by *Harrison.

House Joint Resolution No. 413 -- Memorials, Recognition - Rogersville City School, Jessica Greer's third-grade class. by *Harrison.

House Joint Resolution No. 414 -- Memorials, Recognition - Rogersville City School, Susan Thames's third-grade class. by *Harrison.

House Joint Resolution No. 415 -- Memorials, Recognition - Rogersville City School, Ashley Singleton's third-grade class. by *Harrison.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 416 -- Memorials, Academic Achievement - Kenzie Dixon, Top Ten student, Volunteer High School. by *Harrison.

House Joint Resolution No. 417 -- Memorials, Academic Achievement - Rachel Moncier, Top Ten student, Volunteer High School. by *Harrison.

House Joint Resolution No. 418 -- Memorials, Academic Achievement - Laura Carr, Top Ten student, Volunteer High School. by *Harrison.

House Joint Resolution No. 419 -- Memorials, Academic Achievement - Cheril Patel, Top Ten student, Volunteer High School. by *Harrison.

House Joint Resolution No. 420 -- Memorials, Recognition - Bill King Reece, director, Smith County After School Theatre Company. by *Weaver.

House Joint Resolution No. 421 -- Memorials, Interns - Emily Katherine Saylor. by *Forgety.

House Joint Resolution No. 422 -- Memorials, Academic Achievement - Bailey Nicole Lowe, Valedictorian, Ooltewah High School. by *Carter.

House Joint Resolution No. 423 -- Memorials, Academic Achievement - Noah Campbell Cuttle, Salutatorian, Ooltewah High School. by *Carter.

House Joint Resolution No. 424 -- Memorials, Recognition - Morris Jerome Taylor, 35 years of volunteer prison ministry. by *Fitzhugh.

House Joint Resolution No. 425 -- Memorials, Academic Achievement - Gabrielle Hallmark, Salutatorian, Spring Hill High School. by *Butt.

House Joint Resolution No. 428 -- Memorials, Academic Achievement - Cartavius Turner, Salutatorian, Memphis Health Careers Academy. by *Hardaway.

House Joint Resolution No. 429 -- Memorials, Academic Achievement - Chulisia Pierce, Valedictorian, Memphis Health Careers Academy. by *Hardaway.

House Joint Resolution No. 430 -- Memorials, Academic Achievement - Eric Sah, Salutatorian, White Station High School. by *Hardaway.

House Joint Resolution No. 431 -- Memorials, Academic Achievement - Linnie Jiang, Valedictorian, White Station High School. by *Hardaway.

House Joint Resolution No. 432 -- Memorials, Academic Achievement - Kelly Yuan, Salutatorian, White Station High School. by *Hardaway.

House Joint Resolution No. 433 -- Memorials, Academic Achievement - Iris Ramierz, Salutatorian, Overton High School. by *Hardaway.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 434 -- Memorials, Academic Achievement - Kayla Adams, Valedictorian, Overton High School. by *Hardaway.

House Joint Resolution No. 435 -- Memorials, Academic Achievement - Taylor Nicole Haywood, Salutatorian, Memphis Academy of Health Sciences. by *Hardaway.

House Joint Resolution No. 436 -- Memorials, Academic Achievement - Chelsey Danielle Jones, Valedictorian, Memphis Academy of Health Sciences. by *Hardaway.

House Joint Resolution No. 437 -- Memorials, Death - Ralph Yelton. by *Hill M, *VanHuss, *Hill T.

House Joint Resolution No. 438 -- Memorials, Recognition - Call to Prayer for America. by *Pody.

House Joint Resolution No. 439 -- Memorials, Interns - Clinton Samuel Sprinkle. by *Harwell.

House Joint Resolution No. 440 -- Memorials, Interns - Marc Meredith. by *Hardaway, *Towns.

House Joint Resolution No. 441 -- Memorials, Interns - Ja'Vonta Seals. by *Towns.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 96 |
| Noes..... | 0 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

REGULAR CALENDAR

1455

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 1368 -- Abortion - As introduced, requires facilities or physician offices where more than 50 abortions are performed in a calendar year to be licensed as ambulatory surgical treatment centers. - Amends TCA Title 68, Chapter 11. by *Lynn, *Terry, *Moody, *Weaver, *Brooks K, *Haynes, *Butt, *Kane, *Sexton C, *Dunn, *Pody, *Williams, *Kumar, *Doss, *Wilburn, *Holt, *Casada, *Matlock, *Hazlewood, *Matheny, *Byrd, *Howell, *Hill M, *Hill T, *White D, *Littleton, *Sexton J, *Lundberg, *Calfee, *Carter, *Johnson, *Lamberth, *Van Huss. (*SB1280 by *Hensley, *Bell, *Green, *Johnson, *Bailey, *Beavers, *Gresham, *Yager, *Gardenhire, *Stevens, *Bowling, *Briggs, *Jackson, *Roberts)

Further consideration of House Bill No. 1368, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1368 was made to conform with **Senate Bill No. 1280**; the Senate Bill was substituted for the House Bill.

Rep. Lynn moved that **Senate Bill No. 1280** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 80 |
| Noes | 17 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 80

Representatives voting no were: Akbari, Armstrong, Camper, Clemmons, Cooper, Favors, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Powell, Stewart, Towns, Turner -- 17

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Reps. Todd and J. Sexton voted "aye" on **Senate Bill No. 1280**.

REGULAR CALENDAR, CONTINUED

1456

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 977** -- Abortion - As introduced, revises provisions governing reports a physician who performs an abortion is required to keep to specify that such records must be maintained for five years; clarifies that the requirement applies to any abortion procedure instead of just "operations." - Amends TCA Title 37, Chapter 10, Part 3; Title 39, Chapter 15, Part 2; Title 63, Chapter 6; Title 63, Chapter 9 and Title 68, Chapter 11, Part 2. by *Hill M, *Williams, *Sexton C, *Kumar, *Terry, *Doss, *Eldridge, *Moody, *Holt, *Butt, *Kane, *Dunn, *Pody, *Wilburn, *Casada, *Rogers, *Howell, *Lynn, *Hill T, *Littleton, *Byrd, *Hawk, *Sexton J, *Matlock, *Matheny, *Haynes, *Brooks K, *Goins, *White D, *Lamberth, *Van Huss. (SB1222 by *Beavers, *Bell, *Green, *Johnson, *Gresham, *Gardenhire, *Stevens, *Bailey, *Jackson, *Roberts, *Yager)

Further consideration of House Bill No. 977, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 977 was made to conform with **Senate Bill No. 1222**; the Senate Bill was substituted for the House Bill.

Rep. M. Hill moved that Senate Bill No. 1222 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Clemmons requested that House Amendment No. 2 be placed at the heel of the amendments.

Rep. Clemmons requested that House Amendment No. 3 be placed at the heel of the amendments.

Rep. Jones requested that House Amendment No. 4 be placed at the heel of the amendments.

Rep. M. Hill moved adoption of House Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 1222 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

On motion, House Amendment No. 5 was adopted.

Rep. Fitzhugh moved adoption of House Amendment No. 6 as follows:

Amendment No. 6

**TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

AMEND Senate Bill No. 1222 by deleting the amendatory language in subdivision (f)(1) in SECTION 1 and substituting instead the following:

(1)

(A) For purposes of subsections (a), (b), (c), (d), and (e), a medical emergency is a condition that, on the basis of the physician's good faith medical judgment, so complicates a medical condition of a pregnant woman as to necessitate an immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function.

(B) For purposes of subsection (d), a medical emergency also includes a condition that, on the basis of the physician's good faith medical judgment, so complicates a mental condition of a pregnant woman as to necessitate a waiver of the waiting period or for which a delay will create serious risk of substantial psychological harm.

Rep. Butt moved that House Amendment No. 6 be tabled, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 73 |
| Noes..... | 23 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 23

Rep. Fitzhugh moved adoption of House Amendment No. 7 as follows:

Amendment No. 7

AMEND Senate Bill No. 1222 by inserting the following language to the amendatory language of SECTION 1 as a new, appropriately designated subsection:

The requirements of subsections (a), (b), (c), (d), and (e) shall not apply to a pregnant woman when the pregnancy for which an abortion is sought is the result of rape or incest.

Rep. Butt moved that House Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes 70
Noes..... 24
Present and not voting..... 2

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 70

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 24

Representatives present and not voting were: Daniel, Todd -- 2

Rep. Clemmons moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1222 by deleting the language “and in person by the attending physician who is to perform the abortion, or by the referring physician,” from subsection (b) of the amendatory language of Section 1 and substituting instead the language “by a physician or the physician’s agent”.

AND FURTHER AMEND in subdivision (d)(1) of the amendatory language of Section 1 by deleting the language “the attending physician or referring physician” and substituting instead the language “the physician or the physician’s agent”.

AND FURTHER AMEND by deleting subsection (f) of the amendatory language of Section 1 and substituting instead the following:

(f) For purposes of subsections (a), (b), (c), (d), and (e), a medical emergency shall be as defined for an “emergency medical condition” in § 56-7-2355 and shall be documented in the patient’s record.

AND FURTHER AMEND by deleting subsection (g) of the amendatory language of Section 1 and appropriately redesignating the remaining subsection.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Littleton moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 73 |
| Noes | 24 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Daniel, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 24

Rep. Clemmons moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1222 by inserting the language “or by means of telehealth, as authorized by title 63,” between the language “and in person” and “by the attending physician” in subsection (b) of the amendatory language of Section 1.

Rep. Rogers moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 74 |
| Noes | 23 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 74

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Daniel, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 23

Rep. Jones moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

1460

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND Senate Bill No. 1222 by deleting the language “by the attending physician who is to perform the abortion, or by the referring physician,” from subsection (b) of the amendatory language of Section 1, as amended, and substituting instead the language “by a physician or a healthcare professional licensed under title 63,”.

AND FURTHER AMEND by adding the following language as a new subsection (i) at the end of the amendatory language of Section 1, as amended:

(i) Any information provided to a pregnant woman pursuant to this section shall be medically accurate.

Rep. M. Hill moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 73 |
| Noes..... | 23 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Daniel, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 23

Rep. Farmer moved the previous question, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 72 |
| Noes..... | 22 |

Representatives voting aye were: Akbari, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Travis, Van Huss, Weaver, White D., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 72

Representatives voting no were: Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 22

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. M. Hill moved that **Senate Bill No. 1222**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 79
Noes..... 18

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 79

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Miller, Mitchell, Parkinson, Powell, Stewart, Towns, Turner -- 18

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on the motion to table Amendment No. 7 to **Senate Bill No. 1222** and have this statement entered in the Journal: Rep. Daniel.

REGULAR CALENDAR, CONTINUED

House Bill No. 935 -- Forfeiture of Assets - As introduced, specifies that property used in the course of, intended for use in the course of, derived from, or realized through certain terrorist acts is subject to forfeiture; creates a civil action for damages for a person injured as a result of certain terrorist acts. - Amends TCA Title 38; Title 39; Title 40 and Title 41. by *Matheny, *Keisling. (*SB180 by *Ketron, *Bowling, *Tate)

Further consideration of House Bill No. 935, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 935 was made to conform with **Senate Bill No. 180**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 180 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

1462

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND Senate Bill No. 180 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 8, is amended by adding the following language as new sections:

39-13-810.

(a) All property, both personal and real, including money, vehicles, and other property used, or intended for use, in the course of, derived from, or realized through conduct in violation of this part, is subject to seizure and forfeiture to the state.

(b)

(1) The following people or agencies may make a claim with the court where the conviction occurs for reimbursement for damages caused by or costs associated with the investigation and prosecution of the criminal violations, or the seizure and forfeiture of property under this part:

(A) Any person who suffers personal injury or property damage from the offense or any person entitled to bring suit pursuant to § 20-5-106 for death resulting from the offense; or

(B) The law enforcement agency or other governmental agency that participated in the investigation, mitigation, or prosecution of the criminal offense or that participated in the seizure and forfeiture.

(2) No interest in real or personal property, money, or other assets seized shall be subject to forfeiture pursuant to this section if the court finds at least one (1) of the following:

(A) The owner or interest holder acquired the property before the conduct alleged to give rise to its forfeiture; or

(B) The owner or interest holder acquired the property during or after the conduct alleged to give rise to its forfeiture, and the owner or interest holder acquired this interest as a good faith purchaser for value, or acquired this interest in a commercially reasonable manner, and the owner or interest holder:

(i) Acted reasonably to prevent the conduct giving rise to forfeiture; or

(ii) Did not know of the acts giving rise to forfeiture.

(3) No interest in real or personal property, money, or any other item subject to forfeiture under this section shall be seized or forfeited, unless the owner or interest holder is convicted of a crime or crimes prohibited by this part. If the owner or interest holder is an entity other than a natural person, the property shall not be forfeited unless the entity's officer, employee, or agent is convicted of the crime or crimes under this part, and the state shall also have the burden to establish beyond a reasonable doubt the following additional elements:

(A) The conviction is based on acts by the defendant in the course of and within the scope of the defendant's employment; and

(B) The entity knew or had reason to know from information in the entity's possession, other than through its convicted officer, employee, or agent, of the criminal nature of the acts.

(4) If the owner or interest holder in the seized property is not convicted of a violation of this part and is no longer subject to prosecution for the conduct giving rise to the forfeiture action, the property shall be returned to the owner or interest holder, unless the property is otherwise subject to forfeiture. The owner or interest holder may subsequently file a petition with the court that had jurisdiction over the forfeiture claim to recover reasonable attorney's fees and any actual damages resulting from the seizure and forfeiture proceedings.

(c) The state may stipulate that the interest of an owner or interest holder is exempt from forfeiture upon presentation of proof of the claim as provided in § 39-11-704.

(d) All property seized and forfeited pursuant to this section shall be sold at public auction, and the proceeds from the sale shall be distributed as follows:

(1) Any victim of the offense may file a claim with the court prior to the defendant's determination of guilt. Any claim the court finds to be verified and a result of the offense shall be approved by the court and paid first from the proceeds. The court shall determine the proper amount of damages using the restitution procedure in § 40-35-304, but the provisions of this act shall prevail with regard to the scope of damages for which a victim may claim.

(2) The costs of investigation shall be paid to the law enforcement agency or governmental agency that conducted the investigation; provided:

(A) If more than one (1) law enforcement agency or governmental agency equally conducted the investigation, the costs of investigation shall be paid equally to the law enforcement

agencies and governmental agencies conducting the investigation; and

(B) If one (1) law enforcement agency or governmental agency primarily conducted the investigation, the costs of investigation first shall be paid to that law enforcement agency or governmental agency, with actual vouchered costs reimbursed on a pro rata basis to the other law enforcement agencies or governmental agencies participating in the investigation, not to exceed ten percent (10%) of the costs of investigation allocated to the primary law enforcement agency or governmental agency;

(3) The remainder of the proceeds shall be paid on a pro rata basis to a law enforcement agency or governmental agency that participated in the mitigation, seizure, or forfeiture process.

39-13-811.

(a) Notwithstanding whether criminal prosecution is commenced, or a conviction is obtained for a violation of this part, a victim of a violation of this part shall have a civil cause of action against the person responsible for the violation for both economic and noneconomic damages, up to the limits provided in § 29-39-102, for any personal injury, death, or property damage proximately caused by the violation.

(b) If the victim prevails in the action, the victim shall be entitled to all necessary costs incurred in bringing the action, including reasonable attorney's fees, and shall be eligible for punitive damages up to the limits set in § 29-39-104.

(c) Notwithstanding the provisions of § 28-3-104, an action under this section shall be commenced within five (5) years of the date the cause of action accrued.

(d) If the victim prevailed and is awarded a judgment for damages, the judgment shall be offset by any amount the victim actually receives from the proceeds of assets forfeited pursuant to § 39-13-810 or from the criminal injuries compensation fund. If the amount of damages the criminal court judge determines to be appropriate pursuant to § 39-13-810(d)(1) and the amount of any judgment awarded the victim pursuant to this section are different, for the purpose of determining the total amount of damages to which the victim is entitled, the higher amount shall prevail.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it, and shall apply to prohibited conduct occurring on or after that date.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Matheny moved that **Senate Bill No. 180**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes 3

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Clemmons, Powell, Stewart -- 3

A motion to reconsider was tabled.

***House Bill No. 765** -- Law Enforcement - As introduced, permits any permanent legal resident of the United States who is an honorably discharged veteran of the United States armed forces to be employed as a police officer. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 38, Chapter 8, Part 1. by *Powell. (SB1012 by *Dickerson, *Briggs, *Gardenhire, *Harris, *Massey, *Yarbro)

Further consideration of House Bill No. 765, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Powell requested that House Bill No. 765 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 85 -- Public Contracts - As introduced, authorizes Internet publication of advertisements seeking to lease space for use of a state agency; increases from \$25,000 to \$50,000 the amount of a lease for which advertising is not required. - Amends TCA Title 12, Chapter 2, Part 1. by *McCormick, *Brooks K, *Hawk. (*SB96 by *Norris)

Further consideration of House Bill No. 85, previously considered on April 20, 2015, at which it was reset for today's Calendar.

On motion, House Bill No. 85 was made to conform with **Senate Bill No. 96**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 96 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Hawk moved that **Senate Bill No. 96** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 77 |
| Noes | 0 |

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Kumar, Lamberth, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Womick, Madam Speaker Harwell -- 77

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 96** and have this statement entered in the Journal: Rep. Hardaway.

REGULAR CALENDAR, CONTINUED

***House Bill No. 693** -- Public Health - As introduced, requires the bureau of TennCare, the department of health, the department of human resources, and the department of finance and administration to jointly develop certain plans and reports concerning diabetes to be made to the health and welfare committee of the senate and the health committee of the house every two years. - Amends TCA Title 63; Title 68 and Title 71. by *Akbari, *Camper, *Love, *Fitzhugh, *Cooper, *Favors, *Jones, *Shepard, *Beck, *Hardaway, *Shaw, *Towns, *Stewart, *Powell, *Clemmons, *Parkinson, *Turner. (SB988 by *Norris, *Harper, *Tate)

Further consideration of House Bill No. 693, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Camper requested that House Bill No. 693 be moved down five spaces on today's Calendar, which motion prevailed.

House Bill No. 696 -- Public Contracts - As introduced, requires that major procurement contracts entered into by the state with vendors disclose the obligation of the vendor and vendor's subcontractors to remit sales and use taxes on taxable sales in connection with the contract. - Amends TCA Title 4; Title 12 and Title 67. by *Akbari, *Camper. (*SB589 by *Tate)

Further consideration of House Bill No. 696, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Camper requested that House Bill No. 696 be moved down five spaces on today's Calendar, which motion prevailed.

***House Bill No. 1275** -- Local Government, General - As introduced, requires the office of local government in the office of the comptroller to restructure the representation of local government officials, who serve on the policy board of any metropolitan planning organization that is located entirely within this state, by July 1, 2016, and following each decennial census thereafter. - Amends TCA Title 4, Chapter 16; Title 54 and Title 64. by *Durham, *Littleton, *Casada, *Sexton J, *Johnson, *Reedy, *Goins, *Kane, *Butt, *Womick, *Sparks, *Rogers, *Weaver, *Terry, *Sargent. (SB1326 by *McNally)

Further consideration of House Bill No. 1275, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1275 was made to conform with **Senate Bill No. 1326**; the Senate Bill was substituted for the House Bill.

Rep. Durham moved that Senate Bill No. 1326 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1326 by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Title 64, Chapter 8, is amended by adding the following language as a new part:

(a) Each metropolitan planning organization's policy board shall ensure that:

(1) The number of votes for any local government official shall be equally weighted and shall not be based on the population of the area represented by each official; and

(2) One (1) voting member who resides within the metropolitan planning organization's boundaries shall be chosen by the Tennessee County Highway Officials Association.

(b) For purposes of subsection (a):

(1) "Local government official" means the elected officials representing any county, municipal, or metropolitan government located within the boundaries of a metropolitan planning organization; and

(2) "Metropolitan planning organization" means an agency that is designated or redesignated by a memorandum of understanding as a metropolitan planning organization in accordance with 23 U.S.C. § 134; provided, that the boundaries of the metropolitan planning organization are located entirely within this state; provided further, that the metropolitan planning organization contains not less than three (3) counties located within this state.

SECTION 2. This act is intended to supplement 23 U.S.C. § 134. In the event any provision of this act is deemed inconsistent with the requirements of 23 U.S.C. § 134, the federal law shall control.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Durham moved that **Senate Bill No. 1326**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 82 |
| Noes..... | 0 |

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1326** and have this statement entered in the Journal: Rep. Hardaway.

REGULAR CALENDAR, CONTINUED

House Bill No. 1290 -- Taxes, Real Property - As introduced, authorizes reports of sale prepared in connection with sales of delinquent tax property to be registered; makes related revisions governing the conduct of a sale of delinquent tax property. - Amends TCA Title 8; Title 66 and Title 67. by *Durham, *Wilburn. (*SB770 by *Stevens)

Further consideration of House Bill No. 1290, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Durham moved that House Bill No. 1290 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1290 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-2501, is amended by adding the following as a new subsection (c):

(c)

(1) Within five (5) business days after the conclusion of the sale, and prior to confirmation of the sale by the court, the clerk of the court shall immediately file in the case a report of sale or other notice reflecting the results of the tax sale.

(2) The clerk of the court shall, concurrently with the filing, file the report or notice with the office of the register of deeds of the county in which the property is located. The report or notice shall set forth all results from the sale, or a separate report or notice may be created for each property sold.

(3) The report or notice shall include, at a minimum, the identification of the property and defendants contained in the notice of sale as required by § 67-5-2502, the name of the successful bidder, and

the total successful price bid for each parcel together with the instrument number of the last conveyance of record.

(4) The report or notice shall be for notice purposes only and shall not be evidence of transfer of title.

(5) Failure to timely record the report or notice shall not provide grounds to set the sale aside.

(6) The document shall be exempt from recording fees pursuant to § 8-21-1001, and shall be indexed by the register under the name of the last owner of record.

SECTION 2. Tennessee Code Annotated, Section 66-24-101(a), is amended by adding the following as a new subdivision:

(28) Reports of sale and notices reflecting tax sale results filed pursuant to any lawsuit for the sale of property for delinquent taxes.

SECTION 3. This act shall take effect January 1, 2016, the public welfare requiring it, and shall apply to any sale occurring on or after that date.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Durham moved that **House Bill No. 1290**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 81 |
| Noes..... | 0 |

Representatives voting aye were: Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 81

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 1290** and have this statement entered in the Journal: Rep. Hardaway.

REGULAR CALENDAR, CONTINUED

1471

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 760 -- Wine & Wineries - As introduced, specifies that the alcoholic beverage commission may grant satellite facility permits to up to three wineries or farm wine producers per satellite facility location. - Amends TCA Section 57-3-207. by *Sanderson. (*SB695 by *Niceley, *Bowling)

Further consideration of House Bill No. 760, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Sanderson requested that House Bill No. 760 be moved down ten spaces on today's Calendar, which motion prevailed.

House Bill No. 1339 -- Welfare - As introduced, prohibits recipients of public assistance benefits from using an EBT card at a tobacco retailer to purchase certain tobacco products; prohibits tobacco retailers from permitting the purchase of tobacco products or nicotine products with an EBT card; requires the department of human services to notify public assistance recipients of this prohibition. - Amends TCA Section 71-3-126. by *Weaver, *Powers, *Lollar, *Wirgau, *White M, *Brooks K, *Lamberth, *Lundberg, *Howell, *McManus, *Terry, *Gravitt, *Hill M, *Durham, *Keisling, *Littleton, *Butt, *Kumar, *Rogers, *Sexton J. (*SB786 by *Beavers, *Roberts)

Further consideration of House Bill No. 1339, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1339 was made to conform with **Senate Bill No. 786**; the Senate Bill was substituted for the House Bill.

Rep. Weaver moved that **Senate Bill No. 786** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 82 |
| Noes..... | 1 |

Representatives voting aye were: Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

Representatives voting no were: Love -- 1

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Reps. Daniel and Dunn voted "aye" on **Senate Bill No. 786**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 786** and have this statement entered in the Journal: Reps. Hardaway and M. Hill.

REGULAR CALENDAR, CONTINUED

***House Bill No. 693** -- Public Health - As introduced, requires the bureau of TennCare, the department of health, the department of human resources, and the department of finance and administration to jointly develop certain plans and reports concerning diabetes to be made to the health and welfare committee of the senate and the health committee of the house every two years. - Amends TCA Title 63; Title 68 and Title 71. by *Akbari, *Camper, *Love, *Fitzhugh, *Cooper, *Favors, *Jones, *Shepard, *Beck, *Hardaway, *Shaw, *Towns, *Stewart, *Powell, *Clemmons, *Parkinson, *Turner. (SB988 by *Norris, *Harper, *Tate)

Further consideration of House Bill No. 693, previously considered on April 20, 2015, today's and today's Calendar.

Rep. Fitzhugh requested that House Bill No. 693 be rolled to the heel of today's Calendar.

Rep. McCormick moved the motion to roll Senate Bill No. 988 to the heel be tabled, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 44 |
| Noes..... | 25 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Calfee, Carr, Carter, Casada, Dunn, Eldridge, Forgety, Goins, Halford, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Matlock, McCormick, McManus, Moody, Powers, Ragan, Ramsey, Reedy, Sargent, Sexton C., Spivey, Terry, Todd, Van Huss, White M., Wilburn, Wirgau, Madam Speaker Harwell -- 44

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Cooper, Daniel, DeBerry, Dunlap, Durham, Faison, Farmer, Fitzhugh, Hulse, Love, Mitchell, Parkinson, Pitts, Pody, Powell, Rogers, Sanderson, Shaw, Shepard, Towns, Windle -- 25

Rep. McCormick requested that House Bill No. 693 be moved to the last item on today's Calendar, which motion prevailed.

House Bill No. 696 -- Public Contracts - As introduced, requires that major procurement contracts entered into by the state with vendors disclose the obligation of the vendor and vendor's subcontractors to remit sales and use taxes on taxable sales in connection with the contract. - Amends TCA Title 4; Title 12 and Title 67. by *Akbari, *Camper. (*SB589 by *Tate)

Further consideration of House Bill No. 696, previously considered on April 20, 2015 and today's Calendar.

Rep. Akbari moved that House Bill No. 696 be passed on third and final consideration.

Rep. Ramsey requested that State Government Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Akbari moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 696 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding Sections 2 through 4 as a new chapter 39.

SECTION 2. A state governmental entity shall include in any major procurement contract with a vendor a provision that the vendor and the vendor's subcontractors, shall remit sales and use taxes on sales of goods or services made by the vendor or the vendor's subcontractor.

SECTION 3. If any portion of the cost of a vendor's major procurement contract with a state governmental entity is subcontracted, the vendor shall include in the contract with the subcontractor a provision that the subcontractor shall remit sales and use taxes on taxable sales of goods or services made by the subcontractor.

SECTION 4. As used in this chapter:

(1) "Major procurement contract" means any good or service costing in excess of seventy-five thousand dollars (\$75,000), including major advertising contracts, annuity contracts, consulting services, equipment, and other products and services unique to the functions performed by the state governmental entity, but not including materials, supplies, equipment, and services common to the operations of any ordinary business;

(2) "Retailer" means a person or entity that sells goods or services on behalf of a state governmental entity;

(3) "State governmental entity" means a state agency, department, board, or commission, or a public corporation or quasi-public instrumentality that performs essential public functions entrusted to it by the state; and

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

(4) "Vendor" means a person or entity that provides or proposes to provide goods or services to the state governmental entity pursuant to a major procurement contract, but does not include an employee of the state governmental entity, retailer or a state governmental entity.

SECTION 5. This act shall take effect July 1, 2015, the public welfare requiring it, and shall apply to contracts entered into or renewed on or after such date.

On motion, House Amendment No. 2 was adopted.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Armstrong moved the previous question, which motion prevailed.

Rep. Akbari moved that **House Bill No. 696**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 82 |
| Noes | 0 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McDaniel, McManus, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

A motion to reconsider was tabled.

House Bill No. 1342 -- Victims' Rights - As introduced, clarifies that a deceased victim's family has a right to have a photograph, determined by the court to be a reasonable depiction of the victim prior to the crime, be admitted during trial. - Amends TCA Title 39 and Title 40. by *Weaver, *Haynes, *Lamberth, *McDaniel, *Halford, *Moody, *Byrd, *Powers, *Todd, *Coley, *Rogers, *Lollar, *Wirgau, *White M, *Brooks K, *Matheny, *Pody, *Durham, *Love, *Keisling, *Butt, *Gravitt, *Jernigan, *Sexton J. (*SB933 by *Bowling, *McNally, *Roberts)

Further consideration of House Bill No. 1342, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Weaver moved that House Bill No. 1342 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

1475

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 1342 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-38-103, is amended by adding the following as a new subsection:

(c) In a prosecution for any criminal homicide, an appropriate photograph of the victim while alive shall be admissible evidence when offered by the district attorney general to show the general appearance and condition of the victim while alive.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Weaver moved that **House Bill No. 1342**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Stewart -- 1

A motion to reconsider was tabled.

***Senate Joint Resolution No. 91** -- General Assembly, Statement of Intent or Position - Requests the attorney general and reporter to file a lawsuit against the federal government on behalf of Tennesseans who could be fined for not having adequate health insurance coverage

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

as required by the federal Patient Protection and Affordable Care Act (Pub. L. 111-148, as amended). by *Beavers, *Bowling.

Further consideration of Senate Joint Resolution No. 91, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Weaver moved that the house concur in **Senate Joint Resolution No. 91**, which motion prevailed by the following vote:

Ayes 68
Noes..... 20

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Daniel, DeBerry, Doss, Durham, Eldridge, Faison, Farmer, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Terry, Todd, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 68

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Hardaway, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 20

A motion to reconsider was tabled.

House Bill No. 852 -- Election Laws - As introduced, removes requirement that a person must pay outstanding child support obligations that accumulated during any period of incarceration to have right of suffrage restored. - Amends TCA Title 40, Chapter 29, Part 2. by *Turner, *Cooper, *Shaw, *Armstrong, *Camper, *Favors, *Gilmore, *Jernigan, *Parkinson, *Mitchell, *Akbari, *Jones, *Pitts, *Stewart, *Beck, *Shepard, *Love, *Hardaway, *Clemmons. (*SB654 by *Kyle)

Further consideration of House Bill No. 852, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Turner requested that House Bill No. 852 be moved down two spaces on today's Calendar, which motion prevailed.

***House Bill No. 1163** -- Health Care - As introduced, clarifies that Alzheimer's-related dementia, includes, but is not limited to, dementia with Lewy bodies for purposes of the required

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

disclosure of specialized care at any entity, facility, program, or any instrumentality of the state or political subdivision of the state that advertises, markets, or offers to provide specialized care, treatment, or therapeutic activities for one or more persons with a probable diagnosis of Alzheimer's disease or Alzheimer's-related dementia. - Amends TCA Title 68. by *Turner, *Cooper, *Clemmons, *Shaw, *Miller, *Shepard, *Armstrong, *Akbari, *Parkinson, *Hardaway, *Favors. (SB1142 by *Tate, *Bowling)

Further consideration of House Bill No. 1163, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1163 was made to conform with **Senate Bill No. 1142**; the Senate Bill was substituted for the House Bill.

Rep. Turner moved that Senate Bill No. 1142 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Turner moved that **Senate Bill No. 1142** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 88 |
| Noes..... | 0 |
| Present and not voting..... | 3 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulse, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives present and not voting were: Casada, Holt, McCormick -- 3

A motion to reconsider was tabled.

House Bill No. 1173 -- Drugs, Synthetic or Analogue - As introduced, adds certain synthetic cannabinoids to the list for which it is an offense to knowingly produce, manufacture, distribute, possess, or possess with intent to produce, manufacture, or distribute. - Amends TCA Section 39-17-438. by *White D. (*SB932 by *Bowling, *McNally, *Briggs)

Further consideration of House Bill No. 1173, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 1173 was made to conform with **Senate Bill No. 932**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that Senate Bill No. 932 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. D. White moved that **Senate Bill No. 932** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 94 |
| Noes..... | 0 |
| Present and not voting..... | 1 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

House Bill No. 852 -- Election Laws - As introduced, removes requirement that a person must pay outstanding child support obligations that accumulated during any period of incarceration to have right of suffrage restored. - Amends TCA Title 40, Chapter 29, Part 2. by *Turner, *Cooper, *Shaw, *Armstrong, *Camper, *Favors, *Gilmore, *Jernigan, *Parkinson, *Mitchell, *Akbari, *Jones, *Pitts, *Stewart, *Beck, *Shepard, *Love, *Hardaway, *Clemmons. (*SB654 by *Kyle)

Further consideration of House Bill No. 852, previously considered on April 20, 2015 and today's Calendar.

Further consideration of House Bill No. 852, previously considered on today's Calendar.

Rep. Turner moved that House Bill No. 852 be passed on third and final consideration.

BILL RE-REFERRED

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Casada moved that House Bill No. 852 be re-referred to the Civil Justice Committee.

Rep. Casada withdrew his motion to re-refer House Bill No. 852 to the Civil Justice Committee.

BILL RE-REFERRED

Rep. Turner moved that **House Bill No. 852** be re-referred to the Local Government Committee, which motion prevailed.

***House Bill No. 629** -- Pharmacy, Pharmacists - As introduced, revises definitions of prescription order and professional nursing in pharmacy and nursing statutes to include certain orders and activities of certified registered nurse anesthetists. - Amends TCA Title 63, Chapter 10 and Section 63-7-103. by *Littleton. (SB1014 by *Dickerson, *Green)

Further consideration of House Bill No. 629, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

Rep. Littleton moved that House Bill No. 629 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 629 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-10-204(40), is amended by adding the following new subdivision:

(C) Nothing in this chapter shall require an advanced practice nurse specializing as a certified registered nurse anesthetist (CRNA) to obtain authorization to prescribe pursuant to § 63-7-123 in order to select, order, or administer appropriate drugs during services ordered by a physician, dentist, or podiatrist and provided by a CRNA in collaboration with the ordering physician, dentist, or podiatrist that are within the scope of practice of the CRNA and authorized by clinical privileges granted by the medical staff of the facility. Such an order by a CRNA for drugs shall only be valid for dispensing for administration at the facility where the anesthesia services are being provided;

SECTION 2. Tennessee Code Annotated, Section 63-7-103(a)(2)(D), is amended by deleting the subdivision in its entirety and substituting the following:

(D) Administration of medications and treatments as prescribed by a licensed physician, dentist, podiatrist, or nurse authorized to prescribe pursuant to § 63-7-123, or selected, ordered, or administered by an advanced practice nurse specializing as a certified registered nurse anesthetist (CRNA) during

services ordered by a physician, dentist, or podiatrist and provided by a CRNA in collaboration with the ordering physician, dentist, or podiatrist that are within the scope of practice of the CRNA and authorized by clinical privileges granted by the medical staff of the facility. A CRNA shall collaborate in a cooperative working relationship with the ordering physician, dentist, or

podiatrist in the provision of patient care, which includes consultation regarding patient treatment and cooperation in the management and delivery of health care;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Littleton moved that **House Bill No. 629**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 95 |
| Noes..... | 0 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 760 -- Wine & Wineries - As introduced, specifies that the alcoholic beverage commission may grant satellite facility permits to up to three wineries or farm wine producers per satellite facility location. - Amends TCA Section 57-3-207. by *Sanderson. (*SB695 by *Niceley, *Bowling)

Further consideration of House Bill No. 760, previously considered on April 20, 2015 and today's Calendar.

On motion, House Bill No. 760 was made to conform with **Senate Bill No. 695**; the Senate Bill was substituted for the House Bill.

Rep. Sanderson moved that Senate Bill No. 695 be passed on third and final consideration.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Todd moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Todd moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 695 by adding the following language as new subdivisions to the amendatory language of SECTION 1 of the bill as amended (#5754):

(C) Any violation of any rule or statute by a satellite facility shall be deemed to be a violation by any winery or farm winery producer that participates in a satellite facility.

(D) Any winery or farm winery producer, seeking to establish or operate a satellite facility shall disclose to the commission each winery or farm winery producer participating in the satellite facility. Any participant in a satellite facility shall provide any information requested by the commission prior to participating in the satellite facility.

AND FURTHER AMEND by deleting the language “as a new subdivision (3)(B)” from the directory language of SECTION 1 of the bill as amended (#5754).

On motion, House Amendment No. 3 was adopted.

Rep. Sanderson moved that **Senate Bill No. 695**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 73 |
| Noes..... | 13 |
| Present and not voting..... | 5 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Haynes, Hazlewood, Holsclaw, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Weaver, White D., Wilburn, Williams, Wirgau, Womick -- 73

Representatives voting no were: Brooks H., DeBerry, Dunlap, Dunn, Harrison, Hill M., Hill T., Holt, Matlock, Sexton J., Van Huss, White M., Windle -- 13

Representatives present and not voting were: Butt, Byrd, Doss, Powers, Smith -- 5

A motion to reconsider was tabled.

***House Bill No. 944** -- Senior Citizens - As introduced, changes certain duties of the commission on aging and disability. - Amends TCA Title 71, Chapter 2. by *Littleton. (SB941 by *Yager)

Further consideration of House Bill No. 944, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 944 was made to conform with **Senate Bill No. 941**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 941 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 941 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-2-105, is amended by deleting subsections (c) and (d) and substituting instead the following:

(c)

(1) In addition to the powers, responsibilities, and duties granted to the commission, the commission shall operate an outreach and counseling program through the state health insurance assistance program (SHIP) to provide state residents with information, education, and counseling relative to:

(A) Medicare;

(B) TennCare;

(C) Medicare supplement insurance;

(D) Enrollment in the medicare prescription drug plan (Part D), and the accompanying low-income subsidy;

(E) Finding help with the cost of prescription drugs during coverage gaps and access to drugs not covered under Part D;

(F) Medicare advantage options;

(G) Long-term care planning and insurance;

(H) Claims and billing problem resolution, information, and referral on public benefit programs;

(I) Employer and retiree health insurance options for those with medicare and veterans benefits; and

(J) Other military health insurance for those with medicare.

(2) Minimally, such outreach shall include:

(A) A program to assist medicare-eligible persons in processing the necessary documents in order to participate in the programs in subdivision (c)(1);

(B) A toll-free number staffed during business hours to provide information regarding the programs in subdivision (c)(1);

(C) A web site or referral to web site links that provide information regarding the programs in subdivision (c)(1); and

(D) Presentations to senior groups regarding the availability of the programs in subdivision (c)(1).

(3) The commission shall implement the outreach program within the commission's available resources.

(4) The commission may delegate any or all such responsibilities to a private or public contractor.

(5) The commission is authorized to make application for grants to fund programs set forth in subdivision (c)(1).

(6) The commission may adopt rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to implement this subsection (c).

(d) Nothing in this part or the Long-Term Care Community Choices Act of 2008, compiled in chapter 5, part 14, of this title, shall authorize the commission to exercise any control or authority over any aspect of the administration of programs for home and community-based long-term care services that were operating on the basis of federal waivers in effect on June 19, 2001.

SECTION 2. Tennessee Code Annotated, Section 71-2-110, is amended by deleting the section in its entirety and substituting instead the following:

The standards and procedures developed by the commission relative to the nutrition program for older persons operated in accordance with the Older Americans Act

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

of 1965, compiled in 42 U.S.C. § 3001 et seq., shall establish a threshold of an annual average of ten (10) congregate and home-delivered meals a day for any nutrition sites.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Littleton moved that **Senate Bill No. 941**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 200** -- Statutes of Limitations and Repose - As introduced, tolls the statute of limitations for civil actions if there is a criminal prosecution resulting from the same acts or conduct; establishes a 10-year statute of repose for actions tolled under this act; permits filing for up to one year after the criminal case is ended or whatever time remains in the applicable statute of limitations. - Amends TCA Title 28, Chapter 3. by *Lamberth. (SB463 by *Bell)

Further consideration of House Bill No. 200, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 200 was made to conform with **Senate Bill No. 463**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 463 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 463** be passed on third and final consideration, which motion prevailed by the following vote:

1485

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

Ayes 92
Noes 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Forgety -- 1

A motion to reconsider was tabled.

***House Bill No. 1157** -- Hospitals and Health Care Facilities - As introduced, revises requirements for medical directors and others participating in the operation of a pain management clinic. - Amends TCA Title 63. by *Ramsey, *Doss, *Stewart, *Dunn, *Smith. (SB1266 by *Yager, *Briggs, *Crowe, *Massey, *McNally, *Bowling)

Further consideration of House Bill No. 1157, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1157 was made to conform with **Senate Bill No. 1266**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that Senate Bill No. 1266 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1266 by deleting subdivisions (B) and (C) from the amendatory language of Section 3, as amended by Senate Health and Welfare Committee Amendment 1 [#5362], and substituting instead the following:

(B)

(i) Attains American Board of Pain Medicine (ABPM) diplomate status;

1486

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(ii) Holds an unencumbered Tennessee license; and

(iii) Maintains the minimum number of CME hours in pain management to satisfy retention of ABPM diplomate status. Any exceptions to this requirement shall be approved by the respective regulatory board;

(C) Is board certified by the American Board of Interventional Pain Physicians (ABIPP) by passing exam 1, and holds an unencumbered Tennessee license and maintains the minimum number of CME hours in pain management to satisfy retention of ABIPP diplomate status; or

AND FURTHER AMEND by deleting the language “July 1, 2016” from subdivision (C) of the amendatory language of Section 2, as amended, and substituting instead the language “July 1, 2017”.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. Ramsey moved that **Senate Bill No. 1266**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 403** -- TennCare - As introduced, reduces from 30 days to 15 days the period of time for an applicant for TennCare to mail documentation of a material change affecting the application. - Amends TCA Title 68 and Title 71. by *Ramsey. (SB570 by *Dickerson)

Further consideration of House Bill No. 403, previously considered on April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 403 was made to conform with **Senate Bill No. 570**; the Senate Bill was substituted for the House Bill.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Ramsey moved that Senate Bill No. 570 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Ramsey moved that **Senate Bill No. 570** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***Senate Joint Resolution No. 170** -- General Assembly, Statement of Intent or Position - Condemns the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. by *Gresham, *McNally, *Ketron, *Hensley, *Harper, *Stevens, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Green, *Johnson, *Norris, *Roberts, *Southerland, *Tracy, *Yager, *Bailey, *Haile, *Harris, *Kyle.

Further consideration of Senate Joint Resolution No. 170, previously considered on April 16, 2015 and April 20, 2015, at which time it was reset for today's Calendar.

Rep. Butt moved that the house concur in **Senate Joint Resolution No. 170**, which motion prevailed by the following vote:

Ayes 93
Noes 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell,

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Moody, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Hardaway -- 1

A motion to reconsider was tabled.

House Bill No. 582 -- Elder Abuse - As introduced, confers upon law enforcement agencies, as well as the department of human services, the authority, during the course of an elder abuse investigation, to require a medical examination of the person if the agency is not sure that the adult is in imminent danger. - Amends TCA Title 39; Title 40 and Title 71. by *Coley, *Lamberth, *Rogers. (*SB457 by *Bell)

Further consideration of House Bill No. 582, previously considered on April 16, 2015 and April 20, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 582 was made to conform with **Senate Bill No. 457**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 457 be passed on third and final consideration.

Rep. Jones moved adoption of House Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 457 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 39-17-418(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b)

(1) Except as provided in subdivision (b)(2), it is an offense for a person to distribute a small amount of marijuana not in excess of one-half (1/2) ounce (14.175 grams).

(2) It is not an offense for a person to knowingly possess or casually exchange marijuana in an amount of one (1) ounce (28.35 grams) or less if the marijuana is possessed by, or casually exchanged by, a person who has been diagnosed by a Tennessee licensed physician with one (1) of the following:

(A) Cancer, glaucoma, multiple sclerosis (MS), human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis C (HCV), amyotrophic lateral sclerosis

1489

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(ALS), Crohn's disease, post-traumatic stress disorder (PTSD), or Alzheimer's disease or the treatment of these conditions;

(B) A chronic or debilitating disease or medical condition or its treatment that produces one (1) or more of the following:

(i) Cachexia or wasting syndrome;

(ii) Severe, debilitating, chronic pain;

(iii) Severe nausea;

(iv) Seizures, including, but not limited to, those characteristic of epilepsy; or

(v) Severe and persistent muscle spasms, including, but not limited to, those characteristic of a spinal cord injury or nerve damage; or

(C) Any medical condition for which a patient receives hospice services, as defined in § 68-11-201.

(3) A person diagnosed with a condition listed in subdivision (b)(2)(A) may lawfully grow up to six (6) cannabis plants at the person's domicile at any given time.

Rep. Lamberth moved that House Amendment No. 1 be tabled, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 73 |
| Noes..... | 22 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner, Windle -- 22

Rep. Coley moved that **Senate Bill No. 457** be passed on third and final consideration, which motion prevailed by the following vote:

**TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

Ayes 93
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 1278** -- Ethics - As introduced, prohibits, effective July 1, 2015, a member of a county or municipal governing body who is also an employee of the county or municipality, or whose immediate family is a county or municipal employee, from voting on any matter in which there is a conflict of interest. - Amends TCA Title 5 and Title 12. by *Butt. (SB1288 by *Hensley)

Further consideration of House Bill No. 1278, previously considered on April 16, 2015 and April 20, 2015, at which time it was reset for today's Calendar.

The Clerk announced House Bill No. 1278 was previously withdrawn from the House on April 20, 2015.

House Bill No. 822 -- Taxes, Ad Valorem - As introduced, specifies that a lease of property owned by an airport authority that exceeds 30 years is not subject to local approval; specifies that a lessee under a lease negotiated with an airport authority will not be subject to having the property assessed as if the lessee were the owner; revises other related provisions. - Amends TCA Section 67-5-203. by *Lollar. (*SB741 by *Kelsey)

Further consideration of House Bill No. 822, previously considered on April 16, 2015 and April 20, 2015, at which time it was reset for today's Calendar.

Rep. Lollar moved that House Bill No. 822 be reset for the next available space on the next available calendar, which motion prevailed.

House Bill No. 142 -- Judges and Chancellors - As introduced, establishes the procedure for the appointment, confirmation, and retention of appellate court judges pursuant to Article VI, Section 3 of the Constitution of Tennessee. - Amends TCA Title 2; Title 4; Title 6; Title 16; Title 17 and Title 38. by *Lundberg. (*SB1 by *Kelsey, *Stevens)

Further consideration of House Bill No. 142, previously considered on April 14, 2015, April 15, 2015, April 16, 2015 and April 20, 2015, at which time it was reset for today's Calendar.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Lundberg moved that House Bill No. 142 be reset for the next available space on the next available calendar, which motion prevailed.

***House Bill No. 765** -- Law Enforcement - As introduced, permits any permanent legal resident of the United States who is an honorably discharged veteran of the United States armed forces to be employed as a police officer. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 38, Chapter 8, Part 1. by *Powell. (SB1012 by *Dickerson, *Briggs, *Gardenhire, *Harris, *Massey, *Yarbro)

Further consideration of House Bill No. 765, previously considered on April 20, 2015 and today's Calendar.

On motion, House Bill No. 765 was made to conform with **Senate Bill No. 1012**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that Senate Bill No. 1012 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1012 by deleting from subsection (d) in SECTION 1 of the bill the language “or political subdivision of this state” and substituting instead the language “political subdivision of this state, or state law enforcement agency”.

AND FURTHER AMEND by adding the following language after the language “is authorized” in subsection (d) of the amendatory language of SECTION 1:

, upon the adoption of a resolution by a majority vote of the legislative body,

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1012 by deleting the language “armed forces” and substituting instead the following language:

armed forces; provided, however, that the permanent legal resident applies for or obtains United States citizenship within six (6) years of being discharged

On motion, State Government Committee Amendment No. 2 was adopted.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Todd moved the previous question, which motion prevailed.

Rep. Powell moved that **Senate Bill No. 1012**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 693** -- Public Health - As introduced, requires the bureau of TennCare, the department of health, the department of human resources, and the department of finance and administration to jointly develop certain plans and reports concerning diabetes to be made to the health and welfare committee of the senate and the health committee of the house every two years. - Amends TCA Title 63; Title 68 and Title 71. by *Akbari, *Camper, *Love, *Fitzhugh, *Cooper, *Favors, *Jones, *Shepard, *Beck, *Hardaway, *Shaw, *Towns, *Stewart, *Powell, *Clemmons, *Parkinson, *Turner. (SB988 by *Norris, *Harper, *Tate)

Further consideration of House Bill No. 693, previously considered on April 20, 2015 and today's Calendar.

On motion, House Bill No. 693 was made to conform with **Senate Bill No. 988**; the Senate Bill was substituted for the House Bill.

Rep. Akbari moved that Senate Bill No. 988 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Akbari moved that **Senate Bill No. 988** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 3

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry,

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Madam Speaker Harwell -- 88

Representatives voting no were: Casada, McCormick, Womick -- 3

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 143** -- Health Care - As introduced, enacts the “Tennessee Right to Try Act.” - Amends TCA Title 56; Title 63 and Title 68. by *Lundberg, *Goins, *Butt, *Weaver, *McManus, *Terry, *Daniel, *Rogers, *Holt, *Carter, *Lynn, *Kumar, *Jernigan, *Shepard, *Powell, *Hardaway, *Byrd, *Eldridge, *Powers, *Coley, *Turner. (SB811 by *Hensley, *Haile, *Stevens)

Senate Amendment No. 2

AMEND House Bill No. 143 by inserting the language “and confirmed by a second physician” immediately after the language “treating physician” in § 63-6-302(2)(A) of the amendatory language of Section 1.

AND FURTHER AMEND by inserting the language “as documented by the National Institutes of Health” between the language “phase 1 of a clinical trial” and “but has not” in § 63-6-302(3) of the amendatory language of Section 1.

Senate Amendment No. 3

AMEND House Bill No. 143 by deleting § 63-6-304(d) in the amendatory language of Section 1, as amended, and substituting instead the following:

(d) This part does not require any hospital or facility licensed under title 68, chapter 11, or any physician or healthcare provider to provide any items or services unless a request by an eligible patient is approved by the hospital, facility, physician, or healthcare provider.

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Lundberg moved that the House concur in Senate Amendments Nos. 2 and 3 to **House Bill No. 143**, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 95 |
| Noes | 0 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGES

House Bill No. 1242 -- Driver Licenses - As introduced, requires the one-year suspension of a driver license for failing to stop at the scene of an accident, if the person is also not in compliance with the Financial Responsibility Law; increases the penalty for failure to stop to a Class B misdemeanor if the damages are less than \$500 or a Class A misdemeanor if the damages exceed \$500. - Amends TCA Title 55, Chapter 10 and Title 55, Chapter 12. by *Van Huss, *Mitchell. (*SB1181 by *Crowe)

Rep. Van Huss moved that the House non-concur in Senate Amendment No. 1 to **House Bill No. 1242**, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1351** -- County Government - As introduced, reduces, from five days to three days, the advance notice requirement for calling the county legislative body into a special session. - Amends TCA Title 5; Title 6 and Title 7. by *Clemmons, *Jones, *Gilmore, *Mitchell, *Turner, *Stewart, *Jernigan, *Parkinson, *Powell, *Miller, *Love, *Hardaway, *Fitzhugh, *Beck, *Towns, *Shepard, *Dunlap, *Favors. (SB1392 by *Yarbro)

Senate Amendment No. 1

AMEND House Bill No. 1351 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 9, Part 1, is amended by adding the following as a new section:

1495

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(a) The county legislative body is authorized to appropriate funds for affordable housing or workforce housing.

(b) As used in this section:

(1) “Affordable housing” means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning sixty percent (60%) or less than the median household income for the applicable county based on the number of persons in the household, as established by the “Median Household Income in the Past 12 Months by Household Size” (B19019) from the most recently available United States Census Bureau American Community Survey; and

(2) “Workforce housing” means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning more than sixty percent (60%) and not to exceed one hundred twenty percent (120%) of the median household income for the applicable county based on the number of persons in the household, as established by the “Median Household Income in the Past 12 Months by Household Size” (B19019) from the most recently available United States Census Bureau American Community Survey.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Clemmons moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1351**, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 94 |
| Noes | 1 |

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGES

1496

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Bill No. 810 -- Sexual Offenders - As introduced, prohibits sexual offenders and violent sexual offenders from being alone with minors in a private place; makes clarifications to the registry such as requiring the offender to divulge social media names and passwords. - Amends TCA Title 40, Chapter 39, Part 2. by *Littleton, *Moody, *Holt, *Goins, *Durham, *Casada, *Weaver, *Rogers, *Carr, *Carter, *Gravitt, *Ragan, *Kane, *Hardaway.

Rep. Littleton moved that the House refuse to recede from its action in non-concurring in Senate Amendment No. 1 to House Bill No. 810, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 810**

Pursuant to Rule No. 73, Representative Littleton moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 810, which motion prevailed.

The Speaker appointed Representatives Littleton, Carter and DeBerry as the House members of the Conference Committee on House Bill No. 810.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 980** to be heard in the Finance, Ways & Means Committee today, which motion prevailed.

CLERK'S NOTE TO THE JOURNAL

Pursuant to **Rule No. 20**, Rep. Jernigan was excused from Session at noon, Tuesday, April 21, 2015.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 138 Reps. Todd, Keisling, Daniel, Goins and Powers as prime sponsors.

House Bill No. 587 Reps. Todd and Harrison as prime sponsors.

House Bill No. 634 Rep. Todd as prime sponsor.

House Bill No. 1372 Rep. Ragan as prime sponsor.

**ENGROSSED BILLS
April 21, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 10, 216, 505, 648, 827, 867, 992, 1035, 1224, 1276, 1286, 1323 and 1380; also House Joint Resolutions Nos. 203, 379, 380, 381, 382, 383, 384, 385, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406 and 426.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
April 21, 2015**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 153, 158, 218, 308, 811, 1051 and 1255; also House Joint Resolutions Nos. 105, 289, 290, 292, 293, 294, 295 and 344; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**ENGROSSED BILLS
April 21, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1290;

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 21, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 696;

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 21, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1342;

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS

April 21, 2015

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 629;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No. 426; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 83, 107, 209, 210, 280, 485, 602, 655, 904, 984, 1026, 1331 and 1337; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 21, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 51, 84, 95, 122, 137, 151, 425, 578, 642, 707, 745, 776, 838, 880, 995, 1011, 1221, 1225 and 1307; for his action.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 21, 2015**

The Speaker announced that she had signed the following: Senate Bills Nos. 83, 107, 209, 210, 280, 485, 602, 655, 904, 984, 1026, 1331 and 1337.

JOE MCCORD, Chief Clerk

**ENROLLED BILLS
April 21, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90; and find same correctly enrolled and ready for the signature of the Speaker.

1499

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 21, 2015**

The Speaker announced that she had signed the following: House Resolutions Nos. 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1323; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 51, 84, 95, 122, 137, 151, 425, 578, 642, 707, 745, 776, 838, 880, 995, 1011, 1221, 1225 and 1307; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No. 341; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 21, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440 and 441.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

1500

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 810. The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators: Harris, Kelsey, Massey to confer with a like committee from the House in open conference to resolve the differences between the bodies on House Bill No. 810.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 21, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 91, 92, 93, 94, 95, 96, 97, 98, 99 and 100; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 21, 2015**

The Speaker announced that she had signed the following: House Resolutions Nos. 91, 92, 93, 94, 95, 96, 97, 98, 99 and 100.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
April 21, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 41; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
April 21, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 143 and 1351; also House Joint Resolutions Nos. 341 and 426; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

1501

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

April 21, 2015

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 341 and 426.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 21, 2015

MADAM SPEAKER: I am directed to return to the House, House Bill No. 216; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 21, 2015

MADAM SPEAKER: I am directed to return to the House, House Bill No. 291; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 21, 2015

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 27, 28, 44, 137, 184, 331, 333, 453, 461, 624, 665, 741, 982, 994 and 1288; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 27** -- Education - As introduced, enacts the "Individualized Education Act." - Amends TCA Title 49. by *Gresham, *Ketron, *Haile, *Kelsey, *Stevens. (HB138 by *Moody, *Kane, *Holt, *Weaver, *Hill T)

Senate Bill No. 28 -- Taxes, Hotel Motel - As introduced, authorizes the city of Columbia to levy a privilege tax upon the privilege of occupancy by a two-thirds vote of its governing body. - Amends TCA Section 67-4-1425. by *Hensley. (*HB17 by *Butt, *Shepard)

Senate Bill No. 44 -- Health Care - As introduced, requires that every newborn be tested for lysosomal storage disorders, including Krabbe, Fabry, Gaucher, Pompe, Hurler Syndrome, Niemann-Pick, and others as determined by the department of health as screenings for such become available. - Amends TCA Title 68, Chapter 5. by *Massey, *Bowling, *Briggs. (*HB33 by *Dunn, *Harrison, *Haynes)

***Senate Bill No. 137** -- Election Laws - As introduced, requires vacancy in general assembly seat to be filled by members of the party's county executive committee who reside within the district instead of those who represent precincts in the district, under certain

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

circumstances. - Amends TCA Title 2, Chapter 13, Part 2 and Title 2, Chapter 14, Part 2. by *Tate. (HB695 by *Akbari, *Camper, *Parkinson)

***Senate Bill No. 184** -- Naming and Designating - As introduced, names the National Guard Armory located in Lobelville "The Michael Braden Armory Building.". by *Hensley. (HB307 by *McDaniel, *Fitzhugh, *Byrd)

Senate Bill No. 331 -- Taxes, Ad Valorem - As introduced, for unoccupied property that is not vacant and abandoned, changes the right of redemption period from one year to the period of time for which the city or county property taxes on the property are delinquent; for property that is vacant and abandoned, changes the redemption period to 30 days from entry of the order confirming the sale. - Amends TCA Title 67, Chapter 5. by *Norris, *Harris. (*HB214 by *McCormick, *Todd)

***Senate Bill No. 333** -- Board of Regents - As introduced, permits students at the University of Memphis who are residents of another state in a county lying immediately adjacent to Shelby County or who have residences within 30 miles of the university to attend without paying out-of-state tuition. - Amends TCA Title 49, Chapter 8, Part 1. by *Norris. (HB676 by *White M, *DeBerry, *Akbari, *Camper, *Eldridge)

***Senate Bill No. 453** -- Education - As introduced, requires the Tennessee STEM innovation network to establish STEM innovation hubs in rural areas of the state and in Northwest Tennessee; requires the Tennessee STEM innovation network to provide a middle school curriculum on the variety and benefits of STEM careers. - Amends TCA Title 49. by *Gardenhire, *Gresham, *Stevens, *Tate. (HB946 by *Brooks H, *Eldridge)

Senate Bill No. 461 -- Lottery, Scholarships and Programs - As introduced, allows a child of a military parent to be eligible for a Tennessee HOPE scholarship if the child is classified as an in-state student at the time of enrollment. - Amends TCA Section 49-4-926. by *Bell, *Green. (*HB126 by *Brooks K)

***Senate Bill No. 624** -- Lottery, Scholarships and Programs - As introduced, allows recipients of the HiSET high school equivalency credential to be eligible for a Tennessee HOPE scholarship; modifies the requirement for receipt of the Tennessee HOPE scholarship by GED recipients to conform the required GED score to the scale used for the new version of the GED. - Amends TCA Title 49, Chapter 4, Part 9. by *Gresham. (HB945 by *Brooks H, *Pitts)

Senate Bill No. 665 -- Taxes, Excise - As introduced, exempts certain interests in qualified low-income community historic structures from excise tax. - Amends TCA Title 67, Chapter 4, Part 20. by *Kyle, *Harris, *Norris. (*HB570 by *DeBerry, *McCormick)

***Senate Bill No. 741** -- Taxes, Ad Valorem - As introduced, specifies that a lease of property owned by an airport authority that exceeds 30 years is not subject to local approval; specifies that a lessee under a lease negotiated with an airport authority will not be subject to having the property assessed as if the lessee were the owner; revises other related provisions. - Amends TCA Section 67-5-203. by *Kelsey. (HB822 by *Lollar)

TUESDAY, APRIL 21, 2015 – TWENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 982** -- Aircraft and Airports - As introduced, requires that the report of monies received by the department of revenue from aviation fuel taxes, which are distributed to the transportation equity fund, include a description of funds used to construct, acquire, improve, or maintain publicly owned and operated airports. - Amends TCA Section 9-4-207; Title 67, Chapter 4; Title 67, Chapter 6 and Title 67, Chapter 3. by *Norris, *Tate. (HB1147 by *White M, *McCormick, *Miller, *Camper, *Akbari, *Coley, *McManus, *Turner, *Todd)

***Senate Bill No. 994** -- Hospitals and Health Care Facilities - As introduced, changes, from 30 days to 45 days after termination, the time within which any party to a hospital cooperative agreement who terminates the agreement must file a notice of termination with the department of health. - Amends TCA Title 68, Chapter 11, Part 13. by *Norris, *Crowe. (HB1146 by *Eldridge, *Harrison, *Lundberg, *Hulsey, *Holsclaw, *Hawk)

Senate Bill No. 1288 -- Ethics - As introduced, prohibits, effective July 1, 2015, a member of a county or municipal governing body who is also an employee of the county or municipality, or whose immediate family is a county or municipal employee, from voting on any matter in which there is a conflict of interest. - Amends TCA Title 5 and Title 12. by *Hensley. (*HB1278 by *Butt)

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 10, 473, 505, 606, 629, 696, 867, 1035, 1290, 1342 and 1380; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 317, 318, 319, 320, 321, 322, 324, 325, 326, 327 and 328; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 21, 2015**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 341 and 426; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

RECESS

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Wednesday, April 22, 2015.